

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

DEVAN A. TAYLOR, )  
                        )  
                        )  
Plaintiff,         )  
                        )  
vs.                   )      Case No. 14-1097-CV-W-ODS  
                        )  
WELLS FARGO HOME MORTGAGE, )  
                        )  
                        )  
Defendant.         )

ORDER GRANTING MOTION FOR MORE DEFINITE STATEMENT AND DIRECTING  
PLAINTIFF TO FILE AMENDED COMPLAINT

Pending is Defendant's Motion for More Definite Statement. The motion (Doc. # 7) is granted and Plaintiff is directed to file an Amended Complaint.

Rule 12(e) provides that a party may seek an order requiring "a more definite statement of a pleading to which a responsive pleading is allowed but which is so vague or ambiguous that the party cannot reasonably prepare a response." Plaintiff's pro se Complaint asserts claims for violation of the Missouri Merchandising Practices Act ("MMPA") and for fraud arising out the actions of Jack Cordsen. Cordsen is alleged to have "ordered an Appraisal" (for which Plaintiff paid), but Cordsen allegedly defrauded Defendant "by stating that the Property being sued upon . . . was his vacation home, and that the property had no legal Encroachments hindering its resale or refinance."

The Complaint is vague and ambiguous because it does not sufficiently explain the underlying facts giving rise to the claims and because it does not adequately connect those facts to either the Defendant or the Plaintiff. The Complaint does not explain or identify the transaction that allegedly underlies his claim, who Jack Cordsen is, his connection to the transaction, Plaintiff's connection to the transaction, how Plaintiff was harmed, or what Defendant did (or failed to do) that caused Plaintiff harm.

Plaintiff is directed to file an Amended Complaint that clarifies the circumstances of his claim. Specifically, the Amended Complaint must explain or identify:

- the transaction that allegedly underlies his claim, with a description and identification of the date of the transaction and the parties to the transaction,

- who Jack Cordsen is and his connection to the transaction,
- Plaintiff's connection to the transaction, including a description of any money or property Plaintiff paid (and to whom) and any money or property Plaintiff received (and from whom),
- how Plaintiff is harmed, and
- what Defendant did (or failed to do) that caused Plaintiff harm.

Plaintiff shall file his Amended Complaint on or before March 6, 2015. Plaintiff is further reminded that Rule 12(e) directs that “[i]f the court orders a more definite statement and the order is not obeyed . . . the court may strike the pleading or issue any other appropriate order.”

IT IS SO ORDERED.

DATE: February 17, 2015

/s/ Ortrie D. Smith  
ORTRIE D. SMITH, SENIOR JUDGE  
UNITED STATES DISTRICT COURT